

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

PROPOSED

IN THE MATTER OF CREATING )  
THE LOWER SNAKE AQUIFER )  
RECHARGE DISTRICT )

MEMORANDUM DECISION

AND ORDER

Chapter 42, Title 42, Idaho Code provides a mechanism for creating an aquifer recharge district for the purposes of:

- a) Sustaining and increasing the flow of springs in the general vicinity of the Hagerman Valley; and,
- b) Increasing the water available for withdrawal from ground water basins located in Jerome, Gooding and Lincoln counties; and,
- c) Supplementing the supply of water available for irrigation downstream from the Hagerman Valley; and,
- d) Providing additional aquatic habitats for migratory fowl and wildlife; and,
- e) Increasing and sustaining the flow of the Snake River during the summer months and in times of drought when additional flow is needed for the generation of hydroelectric power and the maintenance of water recreation facilities.

The Director has received the required documentation for formation of a recharge district including a map of the proposed boundaries, a preliminary engineering plan, and a petition signed by more than fifty (50) percent of the water users located within the boundaries of the proposed district. He caused a hearing to be held in Gooding, Idaho on August 27, 1981, to examine the petition and supporting documents. The issues raised at the hearing were:

1. Will creation of a recharge district serve to achieve the purposes for which it is intended?
2. Will all the lands within the proposed boundaries benefit from recharge at the proposed sites?
3. Will the quality of the recharge water be monitored adequately to protect water quality within the aquifer?

After considering the issues raised, the information contained in the record, and the official files of the Department, and based upon his understanding of the law, the Director makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. If surplus river flows are discharged into the proposed spreading basins, benefits will be realized in each of the five areas identified above.

2. Section 42-4203, Idaho Code, authorizes the Director to establish the boundaries of the recharge district. The determination of these boundaries must be based on identification of areas that will receive increased water supplies as a result of recharge.

3. The direction of flow within the Lower Snake Aquifer in the vicinity of the proposed spreading basins is west-southwest. The best available data indicates that water discharged into the most southerly proposed spreading basin would intercept the Snake River just downstream from the Highway 93 bridge north of Twin Falls. Water discharged into the most northerly spreading basin would intercept the Snake River near the mouth of the Malad River.

4. Based on the analysis in Finding of Fact No. 3, lands upstream from the Highway 93 bridge north of Twin Falls would not receive recharge water and thus would not incur benefits for which the proposed recharge district is intended.

5. The water within the Lower Snake Aquifer has been found to be of high quality. This quality is essential to the aesthetic and fish propagation uses within the proposed district. A deterioration of water quality within the aquifer could result in significant economic losses to the fish propagation industry, and aesthetic losses to the residents and visitors within the proposed district.

6. The water proposed to be used for recharge purposes will be mostly snowmelt runoff from the Snake River, Big Wood River and Little Wood River. This water is usually of high quality. However, there is a possibility that the flows will contain contaminants that would be harmful to the Lower Snake Aquifer.

#### CONCLUSIONS OF LAW

1. Creation of the proposed recharge district will provide for the purposes set forth on Page 1, and will serve the interests of the water users proposed to be benefited.

2. The Director is authorized to modify the proposed boundaries of the proposed recharge district by excluding the land located between the northern rim of the Snake River canyon wall and the Snake River upstream from the Highway 93 bridge located north of Twin Falls.

3. The quality of recharge water must be monitored to protect the present high quality of waters within the Lower Snake Aquifer.

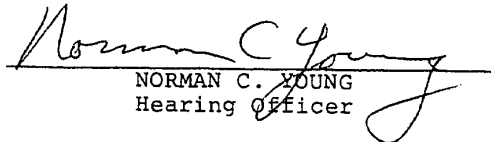
ORDER

IT IS, THEREFORE, HEREBY ORDERED that the Lower Snake Aquifer Recharge District is hereby established and that the boundaries are as follows:

Bounded on the north by Hwy. 20 from Bliss to the Northeast corner of Sec. 9, T. 6 S., R. 14 E., then south to the Southwest corner of Sec. 35, T. 8 S., R. 14 E., then east to the Northeast corner of Sec. 6, T. 9 S., R. 16 E., then south to the northern rim of the Snake River Canyon located at the Northwest corner of Sec. 17, T. 9 S., R. 16 E., then southeasterly along the upper rim of the canyon to the point where the rim intersects the Highway 93 Bridge within Sec. 34, T. 9 S., R. 17 E., then directly south to the Snake River, then downstream following the Snake River until the river intersects the section line between Sec. 17 and 18, T. 6 S., R. 13 E., then north along the section line to the point of beginning;

IT IS FURTHER HEREBY ORDERED that before any water is diverted by the District, the Board of Directors of the District must establish and implement a procedure for monitoring water quality that is acceptable to the Director of the Idaho Department of Water Resources.

Dated this 9<sup>th</sup> day of November, 1981.

  
NORMAN C. YOUNG  
Hearing Officer